

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 12-cv-02840-BNB

(The above civil action number must appear on all future papers sent to the court in this action. Failure to include this number may result in a delay in the consideration of your claims.)

CORRI DITTIMUS, a/k/a DERRICK ANDERSON,

Applicant,

v.

BRIGHAM SLOAN,

Respondent.

ORDER GRANTING LEAVE TO PROCEED PURSUANT TO 28 U.S.C. § 1915

Applicant has submitted a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action (ECF No. 3), an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 (ECF No. 1), and a letter to the court (ECF No. 4) requesting the court to both appoint the Denver Sheriff's Department to serve Respondents and to direct Respondents not to transfer Mr. Dittimus to another facility while this action is pending that has been docketed as a motion. Although the documents initially were filed in another pending action filed by Applicant because the documents included the case number for the other action, the instant action was commenced because the court has determined that the documents were not properly filed in the other action. See *Dittimus v. Clements*, No. 12-cv-02359-BNB (D. Colo. filed Sept. 4, 2012). The Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action will be granted.

Accordingly, it is

ORDERED that the Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action (ECF No. 3) is granted. It is

FURTHER ORDERED that the letter to the court (ECF No. 4) that has been docketed as a motion, is DENIED. It is

FURTHER ORDERED that process shall not issue at this time.

DATED October 26, 2012, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge